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RESOLUTION 792 (1992)

Adopted by the Security Council at its 3143rd meeting,
on 30 November 1992

The Security Council,

Reaffirming its resolutions 668 (1990) of 20 September 1990, 717 (1991) of 16 October 1991, 718 (1991) of 31 October 1991, 728 (1992) of 8 January 1992, 745 (1992) of 28 February 1992, 766 (1992) of 21 July 1992 and 783 (1992) of 13 October 1992,

Taking note of the report of the Secretary-General dated 15 November 1992 (S/24800) in response to its resolution 783 (1992),

Paying tribute to His Royal Highness Prince Norodom Sihanouk, President of the Supreme National Council, for his continuing efforts to restore peace and national unity in Cambodia,

Reaffirming its commitment to implement the Paris Agreements and its determination to maintain the implementation timetable of the peace process, leading to elections for a constituent assembly in April/May 1993, the adoption of a constitution and the formation of a new Cambodian Government thereafter,

Recognizing the need for all Cambodian parties, the States concerned and the Secretary-General to maintain close dialogue in order to implement the peace process effectively,

Recalling that all Cambodians have, in accordance with article 12 of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, the right to determine their own political future through the free and fair election of a constituent assembly and that political parties wishing to participate in the election can be formed in accordance with paragraph 5 of annex 3 to the Agreement,

Noting the discussion during the consultations held in Peking on 7 and 8 November 1992 by the Co-Chairmen of the Paris Conference regarding

a presidential election, and the views of the Co-Chairmen shared by the Secretary-General that such an election could contribute to the process of national reconciliation and help to reinforce the climate of stability in Cambodia,

Welcoming the achievements of the Special Representative of the Secretary-General and UNTAC in the implementation of the Paris Agreements,

Welcoming in particular the good progress made in voter registration,

Welcoming also the efforts of UNTAC to strengthen its relationship with the Supreme National Council (SNC) and its supervision and control over the existing administrative structures, inter alia, to ensure the widest possible agreement on essential regulations for elections, natural resources, rehabilitation, national heritage and human rights, on relations with the international financial institutions, and on the question of foreign residents and immigrants,

Noting also the efforts of UNTAC to address the concerns raised by the PDK, including steps to verify the withdrawal of all foreign forces, advisers and military personnel from Cambodia, close cooperation between UNTAC and the SNC as the embodiment of Cambodian sovereignty, the creation of Technical Advisory Committees to advise the SNC and UNTAC, the extension of UNTAC supervision and control over the five key administrative areas mandated in the Paris Agreements in the areas to which UNTAC has access, and the creation of Working Groups in these areas to enable the parties to be involved in and informed about UNTAC's activities in these five key areas,

Expressing its appreciation for the efforts of Japan and Thailand to find solutions to current problems relating to the implementation of the Paris Agreements,

Expressing also its appreciation for the efforts of the Co-Chairmen of the Paris Conference, in consultations with all parties pursuant to resolution 783 (1992) to find a way to implement fully the Paris Agreements,

Deploring the failure of the PDK to meet its obligations under the Paris Agreements, notably as regards unrestricted access by UNTAC to the areas under PDK control for voter registration and other purposes of the Agreements and as regards the application of phase II of the cease-fire concerning cantonment and demobilization of its forces,

Deploring recent violations of the cease-fire and their implications for the security situation in Cambodia, emphasizing the importance of maintaining the cease-fire and calling on all parties to comply with their obligations in this regard,

Condemning attacks against UNTAC, in particular the recent firings upon UNTAC helicopters and on electoral registration personnel,

Concerned by the economic situation in Cambodia and its impact on the implementation of the Paris Agreements,

1. Endorses the report of the Secretary-General dated 15 November 1992 (S/24800);

2. Confirms that the election for a constituent assembly in Cambodia will be held not later than May 1993;

3. Notes the decision of the Secretary-General to instruct his Special Representative to make contingency plans for the organization and conduct by UNTAC of a presidential election, and moreover, noting that such an election must be held in conjunction with the planned election for a constituent assembly, requests the Secretary-General to submit any recommendations for the holding of such an election to the Council for decision;

4. Calls upon all Cambodian parties to cooperate fully with UNTAC to create a neutral political environment for the conduct of free and fair elections and prevent acts of harassment, intimidation and political violence;

5. Determines that UNTAC shall proceed with preparations for free and fair elections to be held in April/May 1993 in all areas of Cambodia to which UNTAC has full and free access as at 31 January 1993;

6. Calls on the Supreme National Council to continue to meet regularly under the chairmanship of His Royal Highness Prince Norodom Sihanouk;

7. Condemns the failure by the PDK to comply with its obligations;

8. Demands that the PDK fulfil immediately its obligations under the Paris Agreements; that it facilitate without delay full deployment of UNTAC in the areas under its control; that it not impede voter registration in those areas; that it not impede the activities of other political parties in those areas; and that it implement fully phase II of the cease-fire, particularly cantonment and demobilization, as well as all other aspects of the Paris Agreements, taking into account that all parties in Cambodia have the same obligations to implement the Paris Agreements;

9. Urges the PDK to join fully in the implementation of the Paris Agreements, including the electoral provisions, and requests the Secretary-General and States concerned to remain ready to continue dialogue with the PDK for this purpose;

10. Calls on those concerned to ensure that measures are taken, consistent with the provisions of Article VII of annex 2 to the Paris Agreements to prevent the supply of petroleum products to the areas occupied

by any Cambodian party not complying with the military provisions of those Agreements and requests the Secretary-General to examine the modalities of such measures;

11. Undertakes to consider appropriate measures to be implemented should the PDK obstruct the implementation of the peace plan, such as the freezing of the assets held by the PDK outside Cambodia;

12. Invites UNTAC to establish all necessary border checkpoints, requests neighbouring States to cooperate fully in the establishment and maintenance of those checkpoints and requests the Secretary-General to undertake immediate consultations with States concerned regarding their establishment and operation;

13. Supports the decision of the Supreme National Council dated 22 September 1992 to set a moratorium on the export of logs from Cambodia in order to protect Cambodia's natural resources; requests States, especially neighbouring States, to respect this moratorium by not importing such logs; and requests UNTAC to take appropriate measures to secure the implementation of such moratorium;

14. Requests the Supreme National Council to consider the adoption of a similar moratorium on the export of minerals and gems in order to protect Cambodia's natural resources;

15. Demands that all parties comply with their obligations to observe the cease-fire and calls upon them to exercise restraint;

16. Requests UNTAC to continue to monitor the cease-fire and to take effective measures to prevent the recurrence or escalation of fighting in Cambodia, as well as incidents of banditry and arms smuggling;

17. Demands also that all parties take all action necessary to safeguard the lives and the security of UNTAC personnel throughout Cambodia including by issuing immediate instructions to this effect to their commanders forthwith and reporting their action to the Special Representative;

18. Requests the Secretary-General to consider the implications for the electoral process of the failure by the PDK to canton and demobilize its forces and, in response to this situation, to take all appropriate steps to ensure the successful implementation of the electoral process;

19. Requests the Secretary-General to investigate and report upon the implications for security in post-election Cambodia of the possible incomplete implementation of the disarmament and demobilization provisions of the Paris Agreements;

20. Invites the States and international organizations providing economic assistance to Cambodia to convene a meeting to review the current state of economic assistance to Cambodia in the wake of the Conference on Reconstruction and Rehabilitation of Cambodia held in Tokyo in June 1992;

21. Requests the Secretary-General to report to the Council as soon as possible and no later than 15 February 1993 on the implementation of this resolution, and on any further measures that may be necessary and appropriate to ensure the realization of the fundamental objectives of the Paris Agreements;

22. Decides to remain actively seized of the matter.

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